

**Notice of Allowability**

Application No.

10/602,461

Examiner

Nitin C. Patel

Applicant(s)

MCCLARY ET AL.

Art Unit

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 25 January 2007.
2. ☒ The allowed claim(s) is/are 2,3,6-9,12-14,16,17,20-22,25 and 26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>3/2/07</u> |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                                      |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                     |
|  | 9. <input type="checkbox"/> Other _____  |

### **DETAILED ACTION**

1. This is in responsive to amendment filed on 25 January 2007 and telephone interview on 28 February 2007.
2. Claim 1 has been cancelled.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jonathan S. Miller [reg. # 45,534] on 28 February 2007.

The application has been amended as follows:

3. Please amend the claims 2 – 21 as follows:

In claim 2:

On line 4, after the word "the secondary memory; " on page 2, delete the word --- and---

On line 5, after the word "the primary memory" on page 2, replace a period symbol "." with a semicolon---;--- and insert new lines as follow

---calibrating a phase adjuster for the primary clock signal; and---

---calculating a delay for the primary clock signal to adjust the primary clock signal to accelerate or decelerate the framing of data in the primary memory.----

Claim 4:

Pease cancel the claim 4

Claim 5:

Pease cancel the claim 5

In claim 8:

On line 6, after the word "the secondary" on page 3, replace a period symbol "." with a semicolon---;--- and insert new lines as follow

---wherein the clock control logic comprises---

---a phase adjuster;---

---cycle control logic coupled to the phase adjuster; and---

---step pulse generator logic coupled to the cycle control logic, and wherein the phase adjuster comprises

a set of delay cells to alter the phase of a primary clock signal.---

Claim 10:

Pease cancel the claim 10

Claim 11:

Pease cancel the claim 11

In claim 12:

On line 2, after the word "the secondary memory" on page 4, replace a period symbol "." with a semicolon---;--- and insert new lines as follow

---wherein the clock control logic comprises---

---a phase adjuster;---

---cycle control logic coupled to the phase adjuster; and---

---step pulse generator logic coupled to the cycle control logic.---

Claim 15:

Pease cancel the claim 15

In claim 16:

On line 4, after the word "the secondary memory; " on page 4, delete the word ---  
and---

On line 6, after the word "the primary memory" on page 4, replace a period  
symbol "." with a semicolon---;--- and insert new lines as follow

---means for calibrating a phase adjuster for the primary clock signal; and---

---means for calculating a delay for the primary clock signal to adjust the primary  
clock signal to accelerate or decelerate the framing of data in the primary memory.---

Claim 18:

Pease cancel the claim 18

Claim 19:

Pease cancel the claim 19

In claim 21:

On line 5, after the word "the secondary memory; " on page 5, delete the word ---  
and---

On line 6, after the word "the primary memory" on page 5, replace a period  
symbol "." with a semicolon---;--- and insert new lines as follow

---calibrating a phase adjuster for the primary clock signal; and---

---calculating a delay for the primary clock signal to adjust the primary clock signal to accelerate or decelerate the framing of data in the primary memory.---

Claim 23:

Pease cancel the claim 23

Claim 24:

Pease cancel the claim 24

### ***Reasons For Allowance***

4. With respect to claims 2, 16, and 21, the prior art fails to disclose or suggest "adjusting the primary clock signal to adjust an occupancy of the primary memory, calibrating a phase adjuster by calculating a delay for the primary clock signal to adjust the primary clock signal to accelerate or decelerate the framing of data in the primary memory" as described in claims 2, 16, and 21.

With respect to claim 8, and 12, the prior art fails to disclose or suggest "a clock control logic to adjust a primary clock signal to synchronize an occupancy of the primary and secondary memory with a phase adjuster, cycle control logic, and step pulse generator with a set of delay cells to alter the phase of the primary clock signal" as described in claims 8, and 12.

With respect to claim 26, the prior art fails to disclose or suggest "a traffic card including a first and second deframer respectively coupled to first and ingress FIFO, and an aligner coupled to the first and second FIFO to keep the occupancy of data in sync based on the differences in alignment of data being received by the first and second deframers, a clock control logic to exchange with a PLL a first clock signal for a PLL

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adjusted clock signal and to provide adjusted clock signal to the aligner, and a phase adjuster to provide the first clock signal based on a currently selected one of the first and second control cards" as described in claim 26.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

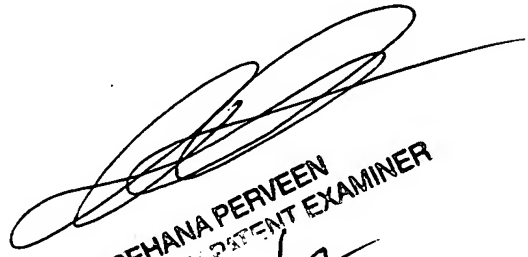
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin C. Patel whose telephone number is 571-272-3675. The examiner can normally be reached on 6:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached on 571-272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nitin C. Patel  
March 5, 2007

  
REHANA PERVEEN  
SUPERVISORY PATENT EXAMINER  
3/5/07